

### **REMARKS/ARGUMENTS**

The applicant's attorneys appreciate the Examiner's thorough search and remarks.

Claims 1-3 have been rejected under 35 U.S.C. §103(a) as obvious over Perlov in view of Mages. Reconsideration is requested.

Claim 1 has been amended to call for the following combination:

1. A substrate processing apparatus comprising:

a substrate processing unit for performing a predetermined process on a substrate; and

a substrate transfer unit for holding a container for storing substrates therein and transferring said substrates stored in said container to said substrate processing unit, wherein

said substrate transfer unit includes:

a mounting part for mounting said container on a fixed shelf to transfer said substrates stored in said container to said substrate processing unit;

a first shelf line containing a plurality of first shelves arranged in a vertical direction at a first predetermined interval, each being capable of mounting said container thereon;

a second shelf line provided between said mounting part and said first shelf line and containing a plurality of second shelves arranged in the vertical direction at a second predetermined interval, each being capable of mounting said container thereon;

a displacing element for displacing said plurality of second shelves in the vertical direction,

a transport element for transporting said container; and

a control unit configured to form a container transport path greater than said second predetermined interval in said second shelf

line by displacing one of said plurality of second shelves in the vertical direction by said displacing element, said one of said plurality of second shelves corresponding to one of said plurality of first shelves which contains a container in said first shelf line, and configured to transport said container from said one of said plurality of first shelves to said fixed shelf in said mounting part by transporting said container through said container transport path in a horizontal direction by said transport element.

An apparatus according to claim 1 includes a controller that moves a second shelf in a vertical direction to obtain a transport path between a first shelf on which a container resides to a fixed shelf, and transports the container from the first shelf to the fixed shelf horizontally through the transport path in a mounting part. As a result, an apparatus according to claim 1 can transport a container from a first shelf to a fixed shelf without having to move a container on one of the adjacently disposed second shelves to another shelf, whereby the time required for moving a container from a first shelf to a fixed shelf is reduced leading to an overall reduction in the time required for container transportation.

On the other hand, none of the cited references teaches or suggests a controller as set forth in claim 1 in combination with other limitations thereof.

Specifically, Perlov simply discloses a shelf line containing fixed shelves, and Mages simply discloses a device for moving a container up and down. Therefore, neither Perlov nor Mages in combination with one another or with Yamada can result in the combination set forth in claim 1. Reconsideration is requested.

Claims 2-5 depend from claim 1 and include the limitations thereof as well as other limitations which in combination with those of claim 1 are not shown or suggested by the art of record. Reconsideration is requested.



The application is believed to be in condition for allowance. Such action is earnestly solicited.

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